



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

**DOCKET NO. 08-06-17 APPLICATION OF WM RENEWABLE ENERGY, LLC FOR
QUALIFICATION OF HIGH ACRES LANDFILL AS A
CLASS I RENEWABLE ENERGY RESOURCE**

August 20, 2008

By the following Commissioners:

Anthony J. Palermino
Donald W. Downes
John W. Betkoski, III

DECISION

I. INTRODUCTION

A. SUMMARY

In this Decision, the Department of Public Utility Control determines that the High Acres generating facility, owned by WM Renewable Energy, L.L.C., qualifies as a Class I renewable energy source as a methane gas from landfill facility and assigns it Connecticut Renewable Portfolio (RPS) Registration Number CT000277-08.

B. BACKGROUND OF THE PROCEEDING

By application (Application) dated June 26, 2008, WM Renewable Energy, L.L.C. requested that the Department of Public Utility Control (Department) determine that the High Acres generation facility qualifies as a Class I renewable energy source.

C. CONDUCT OF THE PROCEEDING

There is no statutory requirement for a hearing, no person requested a hearing and none was held.

D. PARTICIPANTS IN THE PROCEEDING

The Department recognized WM Renewable Energy, L.L.C. (WM Renewable), 1001 Fannin, Suite 4000, Houston, Texas, 77346 and the Office of Consumer Counsel, Ten Franklin Square, New Britain, Connecticut 06051 as participants in this proceeding.

II. DEPARTMENT ANALYSIS

Pursuant to the General Statutes of Connecticut (Conn. Gen. Stat.) § 16-1(a)(26), "Class I renewable energy source" includes energy derived from methane gas from landfills.

Conn. Gen. Stat. § 16-245a(b) defines geographic eligibility to include energy imported into the control area of the regional independent system operator pursuant to New England Power Pool Generation System Rule (NEEPOOL GIS) 2.7(c), as in effect on January 1, 2006.

The Application states that WM Renewable's High Acres generation facility is located at 425 Perinton Parkway in Fairport, New York. The facility has a nameplate capacity of 9.6 MW and began commercial operation on July 15, 1991.¹ Application, pp. 1 and 2. As such, the project produces energy derived from methane gas from a landfill in New York. New York is recognized as an adjacent control area by the Independent System Operator of New England. Therefore, the facility geographically

¹ The 9.6 MW consists of 1.6 MW installed in 1991, 0.8 MW installed in 1997, 0.8 MW installed in 1999 and 6.4 MW installed in 2008, according to an e-mail sent by WM Renewable to the Department on August 4, 2008.

qualifies to import power into the control area pursuant to NEEPOOL GIS rule 2.7(c) and subsequently receive renewable energy certificates. The New York State Department of Environmental Conservation, Division of Solid & Hazardous Materials, Solid Waste Management Facilities (SWIMS) report as of October 2007 lists High Acres as an active, mixed solid waste facility whose permit number is 899080016200032. See www.dec.ny.gov/docs/materials_pdf/mswlist.pdf, p. 17.

Based on the foregoing, the Department determines that High Acres qualifies as a Class I renewable energy facility.

III. FINDINGS OF FACT

1. High Acres is a methane gas landfill facility located in Fairport, New York.
2. High Acres is listed by the New York State Department of Environmental Conservation, Division of Solid & Hazardous Materials, and has permit number 899080016200032.
3. High Acres began commercial operation on July 15, 1991.
4. High Acres is owned by WM Renewable Energy, L.L.C.
5. High Acres has a nameplate capacity of 9.6 MW.

IV. CONCLUSION

Based on the evidence submitted, the Department finds that WM Renewable's High Acres generation facility qualifies as a Class I renewable energy source pursuant to Conn. Gen. Stat. § 16-1(1)(26).

The Department assigns each renewable generation source a unique Connecticut RPS registration number. High Acres' Connecticut RPS registration number is CT00277-08.


The Department's determination in this docket is based on the information submitted by High Acres. The Department may reverse its ruling or revoke the Applicant's registration if any material information provided by the Applicant proves to be false or misleading. The Department reminds High Acres that it is obligated to notify it within ten days of any changes to any of the information it has provided to the Department.

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This Decision is adopted by the following Commissioners:



Anthony J. Palermino



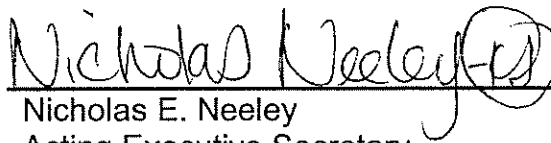
Donald W. Downes



John W. Betkoski, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



Nicholas E. Neeley
Acting Executive Secretary
Department of Public Utility Control

AUG 21 2008

Date